

Amendment No. _____

Signature of Sponsor

AMEND Senate Bill No. 581*

House Bill No. 885

FILED

Date _____

Time _____

Clerk _____

Comm. Amdt. _____

by deleting from subsection (e) of Section 1 the language:

The Tennessee higher education commission shall ensure that duly authenticated
copies of this section are transmitted by mail or posted on the respective entity's website
no later than September 1, 2017, to:

and substituting instead the language:

The Chief Clerk of the House is hereby directed to forward certified copies of this
legislation to the following entities no later than September 1, 2017:



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006866

Amendment No. _____

Signature of Sponsor

FILED

Date _____

Time _____

Clerk _____

Comm. Amdt. _____

AMEND Senate Bill No. 581*

House Bill No. 885

by deleting all language after the caption and substituting instead the following:

WHEREAS, Anti-Semitism remains a persistent, disturbing problem in elementary and secondary schools and on college campuses; and

WHEREAS, some Jewish students are threatened, harassed, or intimidated in their schools and on their campuses based on the students' shared ancestry or ethnic characteristics creating a hostile environment so severe, pervasive, or persistent as to interfere with or limit the students' ability to participate in or benefit from the services, activities, or opportunities offered by schools; and

WHEREAS, the U.S. Department of Education has cautioned schools that they must take prompt and effective steps reasonably calculated to end the harassment, eliminate any hostile environment and its effects, and prevent the harassment from recurring; and

WHEREAS, the definition of Anti-Semitism set forth by the Special Envoy to Monitor and Combat Anti-Semitism of the Department of State in the Fact Sheet issued on June 8, 2010, helped identify contemporary manifestations of Anti-Semitism and includes useful examples of discriminatory Anti-Israel conduct that crosses the line into Anti-Semitism; and

WHEREAS, awareness of this definition of Anti-Semitism will increase understanding of the parameters of contemporary Anti-Jewish conduct and will assist the Title VI Compliance Commission and Tennessee state universities in determining whether an investigation of Anti-Semitism under Title VI is warranted; now, therefore,

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF TENNESSEE:

SECTION 1. Tennessee Code Annotated, Title 49, Chapter 7, Part 1, is amended by adding the following language as a new section:



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(a) As used in this section, "Anti-Semitism includes ":

(1) The definition of Anti-Semitism set forth by the Special Envoy to Monitor and Combat Anti-Semitism of the Department of State in the Fact Sheet issued on June 8, 2010, which provides: "Anti-Semitism is a certain perception of Jews, which may be expressed as hatred toward Jews. Rhetorical and physical manifestations of Anti-Semitism are directed toward Jewish or non-Jewish individuals or their property, toward Jewish community institutions and religious facilities";

(2) The "Contemporary Examples of Anti-Semitism" set forth in the Department of State Fact Sheet described in subdivision (a)(1); and

(3) Includes language from the Department of State Fact Sheet described in subdivision (a)(1), but under the heading "What Is Anti-Semitism Relative to Israel?".

(b) In reviewing, investigating, or deciding whether there has been a violation of § 4-21-904 on the basis of race, color, or national origin, based on an individual's actual or perceived shared Jewish ancestry or Jewish ethnic characteristics, the Title VI Compliance Commission, pursuant to § 4-21-302 shall consider the definition of Anti-Semitism as used in subsection (a) as part of the commission's assessment of whether the alleged conduct was motivated by Anti-Semitic intent.

(c) In reviewing, investigating, or deciding whether there has been a violation of a university policy prohibiting discriminatory practices on the basis of religion, including Tennessee Board of Regents Guideline P-080, Tennessee public universities shall consider the definition of Anti-Semitism as used in this section to determine whether the alleged conduct was motivated by Anti-Semitic intent.

(d) Nothing in this section diminishes or infringes upon any right protected under Article I, § 3 of the Constitution of Tennessee and the first amendment to the United States Constitution.

(e) The Tennessee higher education commission shall ensure that duly authenticated copies of this section are transmitted by mail or posted on the respective entity's website no later than September 1, 2017, to:

- (1) The President of the United States;
- (2) The Speaker and Clerk of the United States House of Representatives;
- (3) The President and Secretary of the United States Senate;
- (4) The Tennessee board of regents;
- (5) The respective governing board of each state university;
- (6) The director of schools for each LEA within the state; and
- (7) The Israeli Embassy in Washington, D.C., for transmission to the proper authorities in the State of Israel.

SECTION 2. This act shall take effect upon becoming a law, the public welfare requiring it.